

REMARKS

Claims 1, 3-10, 12-14, 16-19 and 26-31 are pending in this application with claims 1, 7, 8, 10, 13, 16 and 17 being amended, claims 2, 11 and 20-25 being cancelled and claims 26-31 being added by this response. Claim 15 was cancelled in a previous response. Support for the amendments to the claims as well as the new claims can be found throughout the specification, drawing figures and original claims and more specifically on page 9, line 26-page 10, line 7; page 10, lines 17-23; page 11, lines 13-25; page 21, line 25-page 22, line 2. Thus, it is respectfully submit that no new matter has been added by these amendments.

Rejection of Claim 2 under 35 U.S.C. 112, second paragraph

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. Claim 2 is cancelled by this response. The features of claim 2 have been added to claim 1 and the objection to this claim has been addressed in the amendment to claim 1. Therefore, in view of the cancellation of claim 2, it is respectfully submitted that this rejection is now moot and should be withdrawn.

Rejection of Claims 20 and 24 under 35 U.S.C. 102(b)

Claim 20 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugo (U.S. Patent No. 5,641,482).

Claims 20 and 24 are cancelled by this response. Therefore, in view of the cancellation of claims 20 and 24, it is respectfully submitted that this rejection is now moot and should be withdrawn.

Rejection of Claims 1-3 and 5-9 under 35 U.S.C. 103(a)

Claims 1-3 and 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugo (U.S. Patent No. 5,641,482) in view of Ito et al. (U.S. Patent No. 5,939,088), hereinafter "Ito."

Claim 1 provides a floor mat laid in a small animal rearing cage for housing and rearing a small animal, the floor mat being a sheet having a flexibility to a degree that can wrap the body

of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body. The sheet is formed of an improved cellulose fabric comprising cellulose having carboxyl groups chemically bound thereto wherein the cellulose having carboxyl groups chemically bound thereto is formed in a shape of a sheet. The sheet has a temperature holding property to a degree that can keep the body temperature of the small animal. For the reasons presented below, Applicants respectfully submit that Ito, when taken individually or in combination with Sugo, fails to disclose each feature claimed in claim 1.

Claim 1 has been amended to include features similar to claim 2. Therefore, all arguments presented herein are applicable to the rejection of claims 1 and 2 presented in the Office Action.

Sugo describes a material capable of effectively removing bad odors of outputs and excrements of animals and a process for producing such a material. The material includes a formed article of a pulp and/or polyolefin base material, wherein said formed article has a cation exchange group. The material is produced by graft polymerization of a reactive monomer having a cation exchange group to a formed article of a pulp and/or polyolefin base material. The material efficiently adsorbs bad smells of animals' excretions through chemical bonding.

Sugo (with Ito) neither discloses nor suggests that "said floor mat being a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal" as recited in claim 1 of the present arrangement. The Office Action cites col. 2, line 2; col. 1, lines 55-66; col. 2, lines 1-2 and col. 2, lines 19-25 of Sugo as disclosing the features of the present claimed arrangement. Applicants

respectfully disagree. The cited passage describes a formed article including a base material that has an aggregate form, such as a mat, a non-woven fabric or a mass of spheres or flakes. The material can include "pulp [flakes] and/or a polyolefin, such as paper pulp, regenerated paper, polyethylene, and polypropylene ... The base material preferably has a fibrous form for assuring a wider surface area, which leads to an increased rate of adsorption of harmful substances, and ease of forming into any desired shape ... graft polymerization takes place uniformly over the cross-section of fibers" (col. 1, lines 55-65). The cited passages further recite:

"A reactive monomer is graft-polymerized to the formed article to introduce a cation exchange group. The reactive monomer which can be used ... include those having a cation exchange group or a group capable of being converted to a cation exchange group. Examples of such reactive monomers are glycidyl methacrylate, glycidyl acrylate, styrene, and sodium styrenesulfonate. Examples of suitable cation exchange groups include a carboxyl group, a sulfo group, and a phospho group. The cation exchange group is preferably introduced into the formed article in an amount of from 0.5 to 8 mmol/g.

Graft polymerization of the reactive monomer to the formed article can be carried out, for example, by polymerization in the presence of an initiator, thermal polymerization, irradiation-induced polymerization using ionizing radiation, e.g., alpha-rays, beta-rays, gamma-rays, accelerated electron rays, X-rays, and ultraviolet rays" (col. 2, lines 8-24).

Contrary to the present claimed arrangement, Sugo only describes a deodorizing material and a process for producing the same. The material used by Sugo is completely unlike and does not disclose or suggest a "floor mat being a sheet having a **flexibility** to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself ... and wherein the sheet has a **temperature holding property** to a degree that can keep the body temperature of the small animal" as recited in claim 1 of the present arrangement. Rather, the material used by Sugo is similar to the deodorizing material used for purposes of deodorizing odors. As seen in the present specification, prior art systems such as Sugo, describe deodorizing materials that can be broken into multiple pieces, prevent dirt on the floor and can be disposed as combustible garbage after use. Sugo is silent with respect to the importance of flexibility and temperature holding property of the fabric, as in the present claimed arrangement. Therefore, Sugo (with Ito) is completely unlike the present arrangement and does not disclose or suggest "floor mat being a sheet having a flexibility to a degree that can wrap the body of the

small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal as recited in claim 1 of the present arrangement.

The Office Action on page 3 concedes that "Sugo is silent about the sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to fold a large enough for the small animal to hide at least half of its body." Additionally, Applicants respectfully submit that Sugo is not only silent to disclosing the above features, but also could not include such features. The mat in Sugo is composed of non-woven fabric or pulp flakes. Such rigid materials cannot disclose or suggest flexible materials are "formed of an improved cellulose fabric" as recited in claim 1 of the present arrangement. Further, the Office Action on page 4 (with respect to the claim 2 features which have been included in amended claim 1) concedes that "because of the material the sheet is made of [in Sugo with Ito], there will be some degree of temperature holding property." Applicants respectfully disagree. The inflexible mat made of non-woven fabric or wood chips in Sugo provides no suggestion or disclosure of the claimed "wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal." Applicants respectfully submit that nowhere in Sugo (and Ito) is there suggestion or disclosure that the material used "has a temperature holding property to a degree that can keep the body temperature of the small animal" as recited in amended claim 1 of the present arrangement.

Ito describes an animal sheet that "has permeability of the excreta, for example, urine of the animals and is a polymer-containing sheet 1 made from rayon and the like, the second sheet which is a synthetic resin film 4 having no fluid permeability, and the third sheet which is sandwiched between the first sheet, namely polymer-containing sheet 1, and the second sheet, namely synthetic resin film 4, and which consists of one or more layers comprising paper 2 and polymer-containing sheets 3" (Ito, col. 3, lines 25-34). However, unlike the claimed arrangement, Ito (with Sugo) fails to disclose or suggest that a "floor mat being a sheet having a

flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal ... even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal” as recited in claim 1 of the present arrangement. The towel in Ito (shown in Fig. 4, cited by the Office Action) is merely a display of a perspective view. There is no suggestion or disclosure in Ito (with Sugo) of “a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal ... even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal” as recited in claim 1 of the present arrangement. Ito (with Sugo) is silent to the importance of temperature holding properties of the fabric. Therefore, the towel in Ito (with Sugo) does not disclose or suggest the features of the present claimed arrangement.

The chemically bound carboxyl group of the claimed arrangement provides the sheet with a deodorizing property during the chemical binding process. This is fundamentally different from Ito which merely mentions that the sheet is either impregnated with or painted with DL-pyrrolidone carboxylate. DL-pyrrolidone carboxylate is NOT equivalent to the chemically bound carboxyl group of the claimed arrangement because DL-pyrrolidone carboxylate is a carboxylic acid salt which does not have a deodorant function. Painting or impregnating the sheet with DL-pyrrolidone carboxylate as in Ito is NOT equivalent to the claimed “floor mat being a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal” wherein the “sheet is formed of an improved cellulose fabric comprising cellulose having **carboxyl groups chemically bound** thereto.” Chemically binding the carboxyl group as in the claimed arrangement provides an enhanced cellulose sheet wherein the bond between the carboxyl group is significantly stronger than the bond between DL-pyrrolidone carboxylate that is either painted on or impregnated in Ito. Specifically, in Ito, the DL-pyrrolidone carboxylate impregnated or painted on the sheet would be lost if the sheet was washed for reuse. Contrast this with the claimed arrangement whereby

the carboxyl group is chemically bound to the cellulose thereby advantageously providing a floor mat that maintains the carboxyl group even after water or urine contacts the mat.

Additionally, combining the systems of Sugo and Ito would yield an incompatible and inoperable apparatus. Sugo describes a base material in an aggregate form consisting of a mat of non-woven fabric. The mat would be completely inflexible and unfoldable. Ito, contrary and in opposition to Sugo, describes a towel sheet that is either impregnated with or painted with DL-pyrrolidone carboxylate. The rigid chips or mat in Sugo cannot be taken in combination with the towel sheet of Ito. Therefore, the combination would Sugo and Ito would yield an incompatible and inoperable system.

Even if a combination of the systems of Sugo and Ito could be made, the combination, similar to the individual systems of Sugo and Ito, would not make the present claimed arrangement unpatentable. The combined system would describe a mat composed of non-woven fabric or a mass of flakes. The mat would neutralize odors such as ammonia, triethylamine, etc. (see col. 2, lines 46-47 of Sugo). The combined system would also describe a towel sheet that is either impregnated with or painted with DL-pyrrolidone carboxylate. However, the combined system, similar to the individual systems of Sugo and Ito, would not disclose or suggest "floor mat being a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal ... even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body" where "the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal" as recited in claim 1 of the present arrangement. Therefore, Applicants respectfully submit that Ito fails to disclose or suggest each feature of amended claim 1. Consequently, withdrawal of the rejection of claim 1 is respectfully requested.

Claim 2 is cancelled by this response. Therefore, in view of the cancellation, it is respectfully submitted that the rejection of claim 2 is now moot and should be withdrawn.

Claims 3 and 5-8 are dependent on claim 1 and are considered patentable for the reasons presented above with respect to claim 1. Consequently, withdrawal of the rejection of claims 3 and 5-8 is respectfully requested.

Claim 9 is dependent on amended claim 7 which depends from claim 1. Claim 9 is therefore considered patentable for the reasons presented above with respect to claim 1. Claim 9 is also considered patentable because Ito and Sugo fail to disclose or suggest that the "improved cellulose fabric contains 40 to 140 millimole carboxyl groups per 100 g of dry fabric" as recited in claim 9 of the present arrangement. Specifically, as discussed above, Ito merely describes using an inferior and non-equivalent chemical (DL-pyrrolidone carboxylate) in a non-equivalent manner (either painting the chemical on a sheet or impregnating a sheet with the chemical). In contrast, the claimed arrangement provides for chemically bound carboxyl group in the amount ranging between "40 to 140 millimole carboxyl groups per 100 g of dry fabric". Moreover, the Office Action on page 5 concedes that "Sugo as modified by Ito ... does not specifically teach wherein improved cellulose fabric contains 40 to 140 millimole carboxyl groups per 100 g of dry fabric." Sugo (with Ito) are unlike the claimed arrangement which advantageously incorporates a significant load of carboxyl group by chemically bonding the carboxyl group to the cellulose within the range cited in claim 9 to achieve the benefits associated therewith without the drawbacks of an overpowering acid taste and/or smell which may be detrimental to the animal when directly contacting the animal. Therefore, Sugo and Ito do not disclose or suggest "the improved cellulose fabric contains 40 to 140 millimole carboxyl groups per 100 g of dry fabric" as recited in claim 9 of the present arrangement. Consequently, withdrawal of the rejection of claim 9 is respectfully requested.

In view of the above remarks, it is respectfully submitted that Ito, when taken individually or in combination with Sugo, fails to disclose each feature of claims 1-3 and 5-9. Consequently, withdrawal of the rejection under 35 USC 103(a) is respectfully requested.

Rejection of Claim 4 under 35 U.S.C. 103(a)

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugo (U.S. Patent No. 5,641,482) as modified by Ito (U.S. Patent No. 5,939,088), as applied to claim 1 above and further in view of Newton (U.S. Patent Publication No. 2004/01603).

Claim 4 is dependent on claim 1 and is considered patentable for the reasons presented above with respect to claim 1. Specifically, Ito and Sugo fail to disclose or suggest "said floor mat being a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... sheet is formed of an improved cellulose fabric comprising cellulose having carboxyl groups chemically bound thereto wherein the cellulose having carboxyl groups chemically bound thereto is formed in a shape of a sheet" as recited in the claimed arrangement. Additionally, Newton combined with Ito and Sugo, fails to provide enabling disclosure that would render the claimed arrangement unpatentable.

Newton describes a multipurpose disposable contour sheet for protecting a pet bed mattress or grooming table from shed pet hair, water, soil and tear damage, the disposable contour sheet being formed of a single flat unfolded and unbroken substantially rectangular sheet of garment interfacing fabric resistant to soiling, snagging, running and tearing and tends to capture for "net" shed pet hair; and a strip of elastic tape attached along substantially the entirety of a peripheral edge of the fabric sheet, and thereby forming the fabric sheet into contour sheet sized to cover an upper and side surfaces of a pet bed mattress or grooming table and having an elasticized opening therein sized to admit the pet bed mattress or grooming table. Similarly to Ito with Sugo, Newton fails to disclose or suggest the "said floor mat being a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... sheet is formed of an improved cellulose fabric comprising cellulose

having carboxyl groups chemically bound thereto wherein the cellulose having carboxyl groups chemically bound thereto is formed in a shape of a sheet” as in the claimed arrangement. Consequently, it is respectfully submitted that this rejection is satisfied and withdrawal of the rejection of claim 4 is respectfully requested.

Rejection of Claims 10, 11, 13, 14, 16-19, 26 under 35 U.S.C. 103(a)

Claims 10, 11, 13, 14, 16-19, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugo (U.S. Patent No. 5,641,482) in view of Ito (U.S. Patent No. 5,939,088) and in further view of Otsuji et al (U.S. Patent Publication No. 2001/0009142), hereinafter “Otsuji.”

Claim 10 provides a “small animal rearing cage for housing and rearing a small animal, said small animal rearing cage comprising a rearing box having a floor and a wall provided at a circumference of the floor; and a floor mat formed with a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body, wherein the sheet is formed of an improved cellulose fabric comprising cellulose having carboxyl groups chemically bound thereto, wherein the cellulose having carboxyl groups chemically bound thereto is formed in the shape of a sheet.”

Independent claim 10 includes features similar to claim 1 discussed above and thus is considered patentable for the reasons presented above with respect to claim 1. Claim 10 is further considered patentable because Ito, Sugo and Otsuji neither disclose nor suggest “a floor mat formed with a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal”

as in the claimed arrangement. Ito and Sugo are discussed above with respect to claim 1 and the remarks are incorporated herein by reference.

Unlike the claimed arrangement, Otsuji describes an absorbent mat having a flat shape and that is useful for treating pet excreta. The mat has an absorbing base material of at least one of plant fiber and pulp, an antimicrobial surface active agent or a combination of a surface active agent and an antimicrobial agent, and at least one of a binder, a crosslinking agent, and water.

Otsuji (with Sugo and Ito) does not disclose or suggest “a floor mat formed with a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal” as recited in claim 10 of the present arrangement. Otsuji describes a rear box that includes a surfactant with antibacterial properties and an excreta treating base material formed from plant-based fiber or pulp for preventing offensive smells. However, Otsuji (similar to Sugo and Ito) does not disclose or suggest a floor mat formed with a sheet that is flexible and has temperature holding property of the fabric, as in the present claimed arrangement.

Moreover, Otsuji is fundamentally different from the claimed arrangement because Otsuji describes a mat that is laid in the draining board of an animal cage and is intended to absorb excreted material. The mat described by Otsuji includes cationic and anionic surface active agents (*see* para. 0039) that, if placed in direct contact with an animal would be harmful thereto. Applicants assertions are supported by Figure 1 (and corresponding description thereof) of Otsuji which clearly shows that the pad that absorbs excretion is placed under a grating in the draining area and is intended to be separated from and not in direct contact with the animal itself. This is fundamentally different from the claimed arrangement which provides a mat that includes “a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal” and “even after being laid down in a form where the

sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal.” Thus, the claimed arrangement directly contacts the animals and thus, must not be harmful thereto. This is achieved by chemically binding the carboxyl group to the cellulose such that an increased load of carboxyl group may be included without any of the drawbacks associated with acidic taste and/or smells.

Applicants respectfully submit that it is improper to combine the draining mat of Otsuji with the sheet of Ito and the non-fabric mat or pulp flakes of Sugo because the resulting combination would produce a sheet that is harmful to the animals and thus, contrary to the purpose of both Ito, Sugo (and the claimed arrangement). Moreover, even if one were to combine the sheet of Ito with the mat or flakes of Sugo and the mat of Otsuji, the result would not produce the present claimed arrangement. Instead, the combination would produce a mat that includes surface active agents and a carboxyl acid salt and/or carboxylic acid that must be placed in a draining board of a cage so as not to contact the animal. The carboxyl acid salt or carboxylic acid would be added via mixing, impregnation or painting resulting in a weak bond between the carboxyl acid salt (which has no deodorization properties in the acid form) or carboxylic acid and the mat. The combined system would also include a non-flexible mat made of pulp flakes or non-fabric material. Thus, the combination would neither disclose nor suggest “a floor mat formed with a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal” that is not harmful to the animal when directly contacting the animal as in the present claimed arrangement. Consequently, withdrawal of the rejection of claim 10 is respectfully requested.

Claim 11 is dependent on claim 10 and is considered patentable for the reasons presented above with respect to claims 1 and 10. Consequently, withdrawal of the rejection of claim 10 is respectfully requested.

Claim 13 is dependent on claim 10 and is considered patentable for the reasons presented above with respect to claims 1 and 10. Claim 13 is also considered patentable because Otsuji (with Sugo Ito) fails to disclose or suggest chemically bound carboxyl groups wherein "the improved cellulose fabric contains 40 to 140 millimole carboxyl group per 100 grams of dry fabric." As discussed with above with respect to claim 9, Sugo and Ito do not disclose or suggest these similar features found in both claims 9 and 13. Additionally, the combination of Sugo, Ito and Otsuji do not disclose or suggest "wherein the improved cellulose fabric contains 40 to 140 millimole carboxyl group per 100 grams of dry fabric" as recited in claim 13 of the present arrangement.

The Office Action on pages 6-7 concedes that "Sugo as modified by Ito ... and Otsuji ... does not specifically teach that "improved cellulose fabric contains 40 to 140 millimole carboxyl groups per 100 g of dry fabric." Otsuji (with Sugo and Ito) are unlike the present claimed arrangement which advantageously incorporates a significant load of carboxyl group by chemically bonding the carboxyl group to the cellulose within the range cited in claim 13 to achieve the benefits associated therewith without the drawbacks of an overpowering acid taste and/or smell which may be detrimental to the animal when directly contacting the animal. Therefore, Sugo and Ito do not disclose or suggest "the improved cellulose fabric contains 40 to 140 millimole carboxyl group per 100 g of dry fabric" as recited in claim 13 of the present arrangement. Consequently, it is respectfully submitted that this rejection is satisfied and withdrawal of the rejection of claim 13 is respectfully requested.

Claim 14 is dependent on claim 10 and is considered patentable for the reasons presented above with respect to claims 1 and 10. Claim 14 is further considered patentable for the reasons presented above with respect to claim 5. Consequently, it is respectfully submitted that this rejection is satisfied and withdrawal of the rejection of claim 14 is respectfully requested.

Claims 16-19 and 26 are dependent on claim 10 and are considered patentable for the reasons presented above with respect to claims 1 and 10. Consequently, it is respectfully submitted that this rejection is satisfied and withdrawal of the rejection of claims 16-19 and 26 is

respectfully requested.

In view of the above remarks and amendments to the claims Applicants respectfully submit that Ito, Sugo and Otsuji, when taken individually or in any combination, fail to disclose or suggest the features of the present claimed arrangement. Consequently, it is respectfully submitted that this rejection is satisfied and withdrawal of the rejection under 35 USC 103(a) is respectfully requested.

Rejection of Claim 12 under 35 U.S.C. 103(a)

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugo (U.S. Patent No. 5,641,482) as modified by Ito (U.S. Patent No. 5,939,088) and Otsuji (U.S. Patent Publication No. 2001/0009142) as applied to claim 10 above in further view of Newton (U.S. Patent Publication No. 2004/01603).

Claim 12 is dependent on claim 10 and is considered patentable for the reasons presented above with respect to claims 1 and 10. Specifically, Sugo, Ito and Otsuji, when taken individually or in any combination, fails to disclose or suggest a “a floor mat formed with a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal” as recited in claim 10 of the present arrangement. Additionally, Newton combined with Sugo, Ito and/or Otsuji, fails to provide enabling disclosure that would render the claimed arrangement unpatentable.

Newton describes a multipurpose disposable contour sheet for protecting a pet bed mattress or grooming table from shed pet hair, water, soil and tear damage, the disposable contour sheet being formed of a single flat unfolded and unbroken substantially rectangular sheet of garment interfacing fabric resistant to soiling, snagging, running and tearing and tends to capture for “net” shed pet hair; and a strip of elastic tape attached along substantially the entirety

of a peripheral edge of the fabric sheet, and thereby forming the fabric sheet into contour sheet sized to cover an upper and side surfaces of a pet bed mattress or grooming table and having an elasticized opening therein sized to admit the pet bed mattress or grooming table. Similarly to Sugo, Ito and Otsuji, Newton fails to disclose or suggest the “a floor mat formed with a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal” as recited in claim 10 of the present arrangement. As claim 12 is dependent on claim 10, claim 12 is also considered patentable over Sugo, Ito, Otsuji and Newton, when taken individually or in any combination. Consequently, it is respectfully submitted that this rejection is satisfied and withdrawal of the rejection of claim 12 is respectfully requested.

In view of the above remarks and amendments to the claims Applicants respectfully submit that Sugo, Ito, Otsuji and Newton, when taken individually or in any combination, fail to disclose or suggest the features of the present claimed arrangement. Consequently, withdrawal of the rejection under 35 USC 103(a) is respectfully requested.

Rejection of Claim 21 under 35 U.S.C. 103(a)

Claims 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugo (U.S. Patent No. 5,641,482). Claim 21 is cancelled by this response. Therefore, in view of the cancellation of claim 21, it is respectfully submitted that the rejection of claim 21 is now moot and should be withdrawn.

Rejection of Claims 22, 23, and 25 under 35 U.S.C. 103(a)

Claims 22, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugo (U.S. Patent No. 5,641,482) and Otsuji (U.S. Patent Publication No. 2001/0009142). Claims 22, 23 and 25 are cancelled by this response. Therefore, in view of the cancellation of

these claims, it is respectfully submitted that the rejection of claims 22, 23, and 25 is now moot and should be withdrawn.

New Claims 27-31

Claims 27 and 28 are dependent on claim 9 and are considered patentable for the reasons presented above with respect to claims 1 and 9. Claims 27 and 28 are further considered patentable Sugo, Ito, Otsuji and Newton, when taken individually or in any combination, fail to disclose or suggest "said floor mat being a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... and wherein the sheet has a temperature holding property to a degree that can keep the temperature of the small animal" as recited in claim 1 of the present arrangement. As claims 27 and 28 are dependent on claim 1, these claims are also considered patentable for the same reasons as claim 1. Consequently, it is respectfully submitted that Sugo, Ito, Otsuji, when taken individually or in any combination, do not disturb the patentability of newly added claims 27-28.

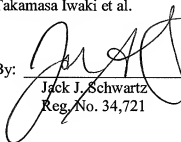
Claims 29-31 are dependent on claim 18 and are considered patentable for the reasons presented above with respect to claims 10 and 18. Claims 29-31 are further considered patentable Sugo, Ito, Otsuji and Newton, when taken individually or in any combination, fail to disclose or suggest "a floor mat formed with a sheet having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal, where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body ... wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal" as recited in claim 10 of the present arrangement. As claims 29-31 are dependent on claim 10, these claims are also considered patentable for the same reasons as claim 10. Consequently, it is respectfully submitted that Sugo, Ito, Otsuji, when taken individually or in any combination, do not disturb the patentability of newly added claims 29-31.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due. However, if an additional fee is due, please charge the additional fee to Deposit Account 50-2828.

Respectfully submitted,
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